

## Will the Crimean cauldron get hot again?

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On the eve of the parliamentary election, central streets of Simferopol are patrolled by troops of the Ministry of the Interior, driving past the buildings of the autonomy's authorities on armored vehicles. According to the official information, the "measures to ensure order" will be carried out by a "task force sent to provide for elections in the Crimea" which consists of a battalion of the Interior troops, a unit of riot police and several helicopters.

The Crimean law-enforcement bodies, enhanced by troops urgently pulled in from other regions, are prepared for new clashes with Crimean Tatars who are determined to support with action their - previously peaceful - demands of Ukrainian citizenship and the right to vote. The militia and the Interior troops have the order to "resolutely suppress any attempts or actions aiming at blockade of polling stations". The precautions are taken to counter possible "unconstitutional actions" promised by Crimean Tatar leader Mustafa Dzhomelev as the response to the Ukrainian parliament's and the president's failure to solve the problem of citizenship of thousands of former forcibly displaced persons.

### The Citizenship Dilemma

According to the adjusted version of the Law "On Citizenship of Ukraine", adopted on May 20, 1997, any person who comes from Ukraine and his or her descendants may obtain Ukrainian citizenship by merely submitting an application before 31 December 1999, provided they are not citizens of any other state. Since then, about 1,600 persons used the provision. After 31 December 1999, these categories of persons will be able to obtain citizenship through a simplified procedure, i.e., they will not have to meet the 5-year permanent residence requirement, nor the requirement to possess the adequate command of the Ukrainian language. Over 20,000 of former deportees, including 13,000 Crimean Tatar repatriants from Uzbekistan, left their countries of residence before the adoption of their respective citizenship laws and, thus, do not need any certification of abdication of foreign citizenship. Others have to give up their citizenship in a formal procedure before applying to become citizens of Ukraine. The problem occurred due to the fact that most of Crimean Tatars - non-citizens of Ukraine have been deterred by a complicated and rather expensive (by their standards) procedure of giving up other citizenship. Since the adjusted citizenship law came into force, only 2,500 of 102,355 "citizenshipless" Crimean Tatars became citizens of Ukraine. According to head of the Department of Citizenship of the Presidential Administration Petro Chalyi, the Medjlis has been doing little to encourage Crimean Tatars to obtain Ukrainian citizenship, while adding to disorientation of Crimean Tatars - like, for instance, by disseminating "applications" to be filled out and sent to the Crimean Department of the Interior. Meanwhile, the lack of citizenship makes as many as 80,000 - 140,000, according to some estimates - Crimean Tatars ineligible to vote, to run for local and central authorities, and to take part in privatization.

Making a case for proportional representation of Crimean Tatars in the national authorities, chairman of the political and legal department of the Medjlis Nadir Bekirov argued that Ukrainian political leaders are either indifferent to the problem of ensuring Crimean Tatars' rights for political participation, or hostile to it. According to Bekirov, no issue involving interests of Crimean Tatars may be considered without their direct participation, because: (1) they are not an ethnic group, but the indigenous people of the peninsula; (2) they used to have a sovereign state, the Crimean Khanate, on the Crimean territory; (3) their small number is a result of genocide, as 46% of the people perished in the displacements in mid-1940s; (4) the smaller number of the population demands that Crimean Tatars be protected from discrimination and humiliation by the "majority of callers". Demanding that Crimean Tatars be given citizenship automatically and that the Medjlis be officially recognized and given representative rights in dealing with Ukrainian power structures, Bekirov argued that would "de facto mean recognition of the Crimean Tatar people's rights for internal self-determination within the Ukrainian state."

### The Trigger

At the end of February 1998, the Ukrainian parliament adopted the new election law for the Crimean legislature, the term of authority of which expires on May 10, 1998. According to the new law, the Crimean parliament was to be elected according to the majoritarian system on March 29, 1998, simultaneously with the national and local elections. The decision followed the attempt of the Crimean parliament to postpone the election in the autonomy till October 1999. The current Crimean parliament was elected according to the mixed proportional-majoritarian system which gave 14 seats to representatives of political parties, 14 seats to Crimean Tatars, and the German, Bulgarian and Armenian ethnic communities received one seat each. Under the new law, ethnic minorities and parties lost their quotas and practically any chance to win in majoritarian constituencies.

Permanent representative of President of Ukraine in the Crimea Vasyl Kiseliov publicly criticized the Crimean Tatar Medjlis for deliberately creating tension and using the needs of Crimean Tatars for promoting their own ends. Specifically, Kiseliov referred to the reluctance of over 13,000 of eligible Crimean Tatars to complete simple formalities to obtain Ukrainian citizenship. According to Kiseliov, the reluctance to do so has been encouraged by the Medjlis leaders who press for granting citizenship and accompanying privileges by the presidential decree to all Crimean Tatars. The Ukrainian state has complied with all requirements of the international community with regard to minority rights, and provided a simplified order of obtaining citizenship for former deportees, said Kiseliov.

### Step by Step To The Boiling Point

After the Law "On Election of People's Deputies to the Supreme Council of the Autonomous Republic of the Crimea" was adopted, actions of civic disobedience, organized by the Crimean Tatar Medjlis, took place in a number of Crimean cities and towns on February 27. Specifically, Crimean Tatar leaders demanded to maintain the 1994 law "On Election of People's Deputies of the Supreme Council of the Crimea" which granted proportional representation of all former forcibly displaced ethnic groups. Instead, the Ukrainian legislature made an exception for Crimean Tatars - non-citizens, allowing them to vote at their places of permanent residence. While the authorities did little to resolve the conflict, the protesters' mood began to radicalize. A local medjlis in Sudak issued a statement warning officials of "danger" and claiming that "Crimean Tatars did not return to their native land to beg for their right to live. If the authorities do not give us any rights ... we will take them ourselves." According to Crimean Tatar activists, their problems were neglected "on ethnicity grounds". "When a man has nothing to lose, he does anything to survive", warned they. In earlier years, Crimean Tatars tried to protect their interests by means of a number of radical actions, including blockade of regional railways in September-October 1993 and shooting in Sudak and Feodosia in summer 1995. Following the Crimean Tatar rally in Simferopol, the pro-Russian party Soyuz (Union) issued a statement accusing Ukrainian officials of applying double standards in the country's nationality policy, and of giving benefits and privileges based on ethnicity.

In mid-March, the Crimean Election Commission gathered to discuss an appeal from the Crimean Tatar Kurultai faction, demanding that Crimean Tatars who are not citizens be given the right to vote, and that a 14-mandate national constituency (or 14 single-mandate constituencies) be established to provide for proportionate representation of Crimean Tatars. As the majority of Crimean Tatars live in rural areas, and constituencies there have been constructed so as to include fewer voters, this will, though indirectly, increase Crimean Tatar candidates' chances for being elected. Moreover, the constituencies have been tailored to fit areas of concentrated settlement of Crimean Tatars, where they comprise over 25% of the population. According to the Crimean Election Commission, as many as 10 to 12 Crimean Tatar representatives are likely to be elected to the Supreme Council, and over 60 will become members of local councils.

However, the Crimean Tatars were not convinced. About 8,000 of them took part in a rally in Simferopol on March 10. In addition to the demand for citizenship to be granted to about 80,000 Crimean Tatars by presidential decree, and a quota of seats in the Crimean parliament, the resolution adopted by the rally demanded real participation by Crimean Tatars in the privatization of property and land in the peninsula, compensation for damages caused by the deportation and an increase in accommodation assistance to returning former deportees. The rally also demanded the dismissal of the presidential representative in the Crimea, Vasyl Kiseliov, for supposedly giving a distorted picture of the situation to the central executive authorities. On the eve of the rally, Kiseliov made public an "urgent appeal" to Crimean citizens, warning them of "possible bloody conflict". The Crimean officials reacted to the rally by bringing large numbers of militia onto the streets and demonstrating force by

driving several armored vehicles of the National Guard, equipped with anti-aircraft guns, past the rally. According to the Medjlis leader, Mustafa Dzhomelev, Crimean Tatars were prepared to try "other means of influence", including disruption of the elections in the Crimea, and blockade of major roads, the railway and the airport. Parliamentary Speaker Oleksandr Moroz, who had to come out to talk to the protesters, promised that the issues would be considered at the final session of the current parliament on 24 March. The idea of giving citizenship to Crimean Tatars under a simplified procedure was also supported by the secretary of the National Security and Defence Council of Ukraine, Volodymyr Horbulin.

### The Climax

At its final session on March 24, 1998, the Ukrainian parliament voted down an amendment to the Law "On Election of People's Deputies to the Supreme Council of the Autonomous Republic of the Crimea". If approved, the amendment would have allowed over 80,000 Crimean Tatars who do not have the Ukrainian citizenship but permanently live in the Crimea to take part in the general and local elections. After the news about the rejection of the amendment - mainly due to the vote of the left-wingers - reached the Crimean Tatar participants of an unsanctioned rally in Simferopol, carrying green flags and shouting "Allah Akbar!", they attacked the regional headquarters of the Communist Party of Ukraine but were confronted by the militia. The confrontation continued when the rally participants blocked the railway station. As a result of the clash, 19 militia men were injured and 12 of them were taken to hospital.

Commenting on the situation, Speaker Oleksandr Moroz argued he had insisted that Crimean Tatar non-citizens should be given the right to vote, and justified his communist and socialist colleagues by stressing that they had acted in accordance with the constitutional norms and had been apprehensive of giving any reason for recognizing the elections as unconstitutional and, thus, manipulating the public opinion and legal provisions. According to members of the legislature and some observers, it is the president of Ukraine who is responsible for provoking a situation when a substantial proportion of Crimean dwellers feel discriminated. Many expected that the president would try to put down the conflict by granting citizenship to Crimean Tatars, permanently residing in the peninsula - or at least to those 20,000 who are not citizens of any other state - by his decree. At a press conference after the parliament's failure to approve the amendment, presidential chief of staff Yevhen Kushnariov announced that the president might take that step to settle the problem and that a document suitable document was being prepared by the administration. However, Leonid Kuchma chose not to risk. Instead, he made a statement that is likely to cost him a substantial part of his carefully built image of the guarantor of stability. A number of TV programs showed the president to the whole nation as stating that there would be no special decree, that the problem with citizenship was Crimean Tatars' "own fault" and that "if there were no cause with the citizenship, they would find something else to make the situation more acute." "The authorities must restore order, during the elections as well," he argued. According to Mustafa Dzhomelev, Crimean Tatars believe that the president himself is interested in the escalation of tension in the Crimea and making up "unpredictable" development of the situation so that to be able to recognize the election results or to announced them "disrupted", depending on the outcome. "The worst is that no matter how quiet we are now, if the provocation is planned by the power-holders, it will happen," said Dzhomelev.

### Potential Disaster

Meanwhile, the Prosecutions General, the Ministry of the Interior, the Security Council and the National Guard officials issued a statement accusing "destructive forces of Crimean Tatars" of "artificially aggravating the situation" in the autonomy, "exerting pressure on the bodies of power" and "make threats, sowing interethnic ire and animosity among citizens". The PR service of the Crimean department of the Ministry of the Interior published a warning: "according to Article 127 of the Ukrainian Criminal Code, persons obstructing the election process by means of violence, deceit, threats aiming against citizens' right to elect and be elected are liable to imprisonment for up to five years or correction works for the period of up to two years." In case the authorities do "use the whole arsenal of preventive measures" to demonstrate force and put a few Crimean Tatars on trial, the crisis may escalate into an open confrontation. Meanwhile, provocation of a full-scale ethnicity- related conflict on the peninsula has become easy as never before.